

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Cane
Island Power Park Unit 4 electrical power plant
in Osceola County, by Florida Municipal
Power Agency.

DOCKET NO. 080253-EM

DATED: July 2, 2008

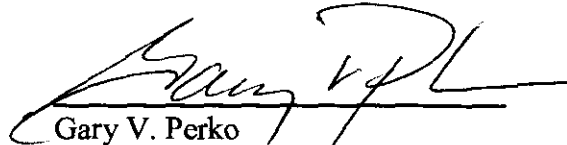
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COMMISSION
CLERK

**NOTICE OF FILING CERTIFIED PROOF OF PUBLICATION
OF NOTICE OF NEED DETERMINATION HEARING ON A PETITION FOR
DETERMINATION OF NEED FOR PROPOSED POWER PLANT IN OSCEOLA
COUNTY, FLORIDA**

Florida Municipal Power Agency, by and through undersigned counsel, hereby serves notice that the Notice of Commission Hearing and Prehearing Conference on the Petition for Determination of Need for electrical power plant in Osceola County by Florida Municipal Power Agency was published in the Osceola News Gazette on June 28, 2008, pursuant to Order No. PSC-08-0322-PCO-EM (May 15, 2008), and Section 403.519(2), Florida Statutes. Attached is an Affidavit, serving as proof of publication of the Notice.

DATED this 2nd day of July, 2008.

HOPPING GREEN & SAMS, P.A.



Gary V. Perko
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Attorney for Florida Municipal Power Agency

DOCUMENT NUMBER-DATE

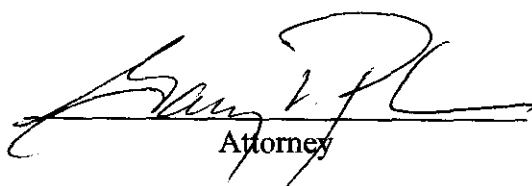
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Filing Certified Proof of Publication of Notice of Need Determination Hearing on a Petition for Determination of Need for Proposed Power Plant in Osceola County, Florida, in Docket No. 080253-EM, was served upon the following by U.S. Mail on this 2nd day of July, 2008:

Katherine Fleming
Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850



Attorney

PETITION FOR DETERMINATION OF NEED FOR CANE ISLAND UNIT 4 ELECTRICAL POWER PLANT IN OSCEOLA COUNTY BY FLORIDA MUNICIPAL POWER AGENCY

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Municipal Power Agency for determination of need for an electrical power plant in Osceola County, at the following time and place:

Monday, August 4-5, 2008, 9:30 A.M.
Room 148, Betty Easley Conference Center
4075 Esplanade Way,
Tallahassee, Florida

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the Participant's proposed electrical power plant in Osceola County, Florida. This hearing will also consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the applicant to present evidence and testimony in support of their petition for a determination of need for the proposed electrical power plant; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the proposed electrical power plant. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, cost-effective alternative available, and whether the proposed plant expansion is the most cost-effective alternative available, and whether renewable energy resources and technologies, as well as conservation measures, are utilized to the extent reasonably available. In addition, the Commission or its members who might mitigate the need for the proposed plant and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plant shall create a presumption of public need and necessity and shall serve as the Commission's report required by subsection 403.507(2), Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed power plant will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities, as required by the "Florida Electrical Power Plant Siting Act," Sections 403.501-403.519, Florida Statutes.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, August 4, 2008. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony. By providing public testimony, a person does not become a party to the proceeding. Anyone pursuing to Rule 25-22.030, Florida Administrative Code, as the Director of the Commission's Division of the Commission Clerk and Administrative Services, with the Director of the Commission's Division of the Commission Clerk and Administrative Services, at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless waived by the Commission, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106.105, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the local hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed plant and associated facilities may be sent to the Commission at the following address:

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32389-0850
Re: Docket No. 060635-EC

GENERAL LOCATION AND PROJECT DESCRIPTION

FMFA proposes the construction of one new unit, to be known as Cane Island Unit 4, which will be a high-efficiency, 1x1 F class, natural gas-fueled combined cycle unit, consisting of a combustion turbine and a heat recovery steam generator that will drive a steam turbine generator. The new unit will be capable of generating nominally 300 megawatts (MW). The projected in-service date for Cane Island Unit 4 is May 1, 2011.

The proposed new unit will be wholly owned by FMFA and operated under contract by Kissimmee Utility Authority (KUA), an "All-Requirements Power Supply Project" (ARPP) member utility. All of the generation capacity from the unit will be committed to ARPP members for retail sale to their customers.

PREHEARING CONFERENCE

A prehearing conference will be held at:
Monday, July 21, 2008, 9:30 a.m.
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by the provisions of Chapter 386, and section 403.519, Florida Statutes. This proceeding will be governed by those statutes, in addition to Chapter 120, Florida Statutes, and Rules 25-22 and 28-106, Florida Administrative Code.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-8770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

A copy of the Applicant's petition for determination of need and supporting exhibits is available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
4075 Esplanade Way
Room 110-Betty Easley Conference Center
Tallahassee, Florida
June 29, 2008

AFFIDAVIT
IN ACCORDANCE WITH CHAPTER 50, FLORIDA STATUTES

OSCEOLA NEWS GAZETTE

Published Twice-Weekly

City of Kissimmee, Osceola County, Florida

STATE OF FLORIDA
COUNTY OF OSCEOLA

Before me, the undersigned authority personally appeared DINA I. HIGDON, who on oath says that he or she is Legal Clerk of the Osceola News Gazette, a twice-weekly newspaper of general circulation, printed in the English language, published at Kissimmee in Osceola County, Florida; that the attached copy of advertisement being a Notice in the matter of the Petition for a Determination of Need for an Electrical Power Plant in Osceola County before the Florida Public Service Commission, was published in said newspaper in the issue of June 26, 2008

Affiant further says that the Osceola News Gazette is a newspaper published at Kissimmee, in said Osceola County, Florida, and that the said newspaper has heretofore been continuously published in said Osceola County, Florida, twice a week and has been entered as periodicals matter at the post office in Kissimmee, in said Osceola County, Florida, for a period of one (1) year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 30th day of June 2008, by DINA I. HIGDON, who is personally known to me or who has produced _____ as identification.

Notary Signature:
Notary Seal or Stamp:



DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK